

Goes TO 09/313,764
FACSIMILE

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Date: May 17, 2004

To: Examiner William D. Coleman
U.S. Patent and Trademark Office
Group Art Unit: 2823

Re: Copy of Request for Withdrawal/Postcard dated February 5, 2003
U.S. Patent Appln. S.N. **09/650,759**
Title: Optical Semiconductor Device Having an Epitaxial Layer of III-V Compound
Semiconductor material Containing N as a Group Element
By: KURAMATA et al.
Our Ref: 990527

Fax Number: 571-273-1856

From: Stephen G. Adrian

Number of Pages: *4*

Attached is a copy of our request (without attachments) with date stamped postcard.

SGA/arf

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **KURAMATA, et al.**

Serial No.: **09/313,764**

Group Art Unit: **2823**

Filed: **May 18, 1999**

Examiner: **COLEMAN**

**FOR: OPTICAL SEMICONDUCTOR DEVICE HAVING AN EPITAXIAL LAYER OF
III-V COMPOUND SEMICONDUCTOR MATERIAL CONTAINING N AS A
GROUP V ELEMENT**

P.T.O. Confirmation No.: **4289**

REQUEST FOR WITHDRAWAL OF HOLDING OF ABANDONMENT

Commissioner for Patents
Washington, D.C. 20231

Date: February 5, 2003

Sir:

Applicants respectfully request the Commissioner to withdraw the holding of abandonment set forth in the Notice of Abandonment mailed January 27, 2003.

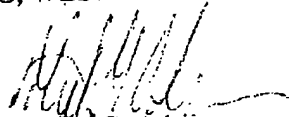
The Notice of Abandonment indicates that an Office Action was mailed May 21, 2002. Applicants' representatives did not receive a copy of the Office letter. Thus, a response would have been due August 21, 2002. As can be seen from the attached docket for August 21, 2002, no due date for this application appears.

In addition, the attached copy of our PTO log book for the period from May 20, 2002 to May 31, 2002, shows that the Office Action was not received.

Since applicants did not receive the Office letter, it is believed that a petition and fee are not required. However, if a fee is considered to be required in connection with the present petition, please charge such fee to our Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, WESTERMAN & HATTORI, LLP


Stephen G. Adrian
Attorney for Applicants
Reg. No. 32,878

SGA/arf

Attachments: Copy: Notice of Abandonment mailed January 27, 2003
Computer Docket
Our PTO Log Book

Atty. Docket No. 990527
Suite 1000, 1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



23850

PATENT TRADEMARK OFFICE

To: RENE
202-822-1111

FAXED
2/6/04

CARD NO: 20229

U.S. Patent Application Docket No: 990527
Serial No: 09/313,764 Filed: 05/18/99
Patent Number: Issued:
Applicant(s): KURAMATA, et al.

Papers filed herewith on: 02/05/03

Other: Req. for Withdrawal of Holding Agreement w/copy
of Not. of Aband; Computer Docket and Our PPD Log Book

FEB 05 2004

COMMISSIONER OF PATENTS

Receipt is hereby acknowledged of the papers filed as indicated
in connection with the above-identified case.

SGA/ARP

FROM ARMSTRONG, KRATZ, QUINTON, HANSON & BROOKS (PH) 2. 6' 04 12:42/ST. 12:41/NO. 4669196662 P 1

Received at: 11:42AM, 2/6/2004